

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2016-148556-001 DT

07/18/2017

HONORABLE JOSEPH P. MIKITISH

CLERK OF THE COURT

C. Machado

Deputy

STATE OF ARIZONA

JENNA DERANGO

v.

MYRIAH LYNNE SCARPATI-GRAHAM (001)

JOHN W MCBEE

DOB: 4/21/1984

DISPOSITION CLERK-CSC

PRETRIAL SERVICES AGENCY-CCC

RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

9:58 a.m. This is the time set for Sentencing.

Courtroom CCB 1301

State's Attorney: Jeanine Sorrentino on behalf of Jenna DeRango

Defendant's Attorney: John McBee

Defendant: Present

Court Reporter, Lisa Bradley, is present.

A record of the proceedings is also made digitally.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

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OFFENSE: Count 1 Aggravated Assault  
Class 5 Felony  
A.R.S. § 13-1203(A)(3), 13-1204, 13-701, 13-702, and 13-801  
Date of Offense: 10/12/2016  
Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Count 1 Probation Term: 3.00 years

To begin: 7/18/17.

IT IS ORDERED that probation in Count 1 shall run concurrent with probation in Counts 2 and 3 in CR2017-101473-001.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8: Request and obtain written permission of the APD prior to leaving the state.

Condition 9: May apply for Interstate Compact supervision in the state of Minnesota and will not proceed to that state until reporting instructions are received and the APD issues a written travel permit.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$50.00 per month.

PROBATION ASSESSMENT: Count 1 - \$20.00.

TIME PAYMENT FEE: Count 1 - \$20.00.

VICTIMS' RIGHTS ENFORCEMENT: Count 1 - \$2.00.

PENALTY ASSESSMENT: A.R.S. § 12-116.04 - Count 1 - \$13.00.

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Investigative Agency:

Phoenix Police Department

All amounts payable through the Clerk of the Superior Court.

Payment to commence on a date to be determined and is due on the same day of each month thereafter until paid in full.

Condition 16: Not consume or possess any substances containing alcohol.

Condition 19: Not have any contact with the victim(s) in any form, unless approved in writing by the APD.

Condition 21: Abide by the special conditions of probation as noted on the attachment to the Uniform Conditions of Supervised Probation as follows:

Mental Health

Condition 22: Defendant shall pay restitution for all economic loss to all victims.

Defendant shall pay costs associated with DNA testing required pursuant to A.R.S. § 13-610.

Defendant shall participate in a mental health evaluation and any recommended treatment.

Defendant shall not initiate contact with the victim.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

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1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.

2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Counts 2, 3 and the allegation of Defendant's prior felony convictions pursuant to A.R.S. § 13-703.

IT IS FURTHER ORDERED Defendant be released from custody for this case only.

IT IS ORDERED exonerating any bond previously posted in this matter to the party posting same.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

Pursuant to the terms set forth in the parties' Plea Agreement,

IT IS ORDERED that the Defendant pay all costs associated with the DNA testing ordered herein.

10:12 a.m. Matter concludes.

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE JOSEPH P. MIKITISH  
OF THE SUPERIOR COURT

(right index fingerprint)